

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)
) CASE NO. CR22-185 RSL
Plaintiff,)
)
v.)
) DETENTION ORDER
SERGE POTAPENKO,)
)
Defendant.)
_____)

Offenses charged:

1. Conspiracy to Commit Wire Fraud
2. Wire Fraud
3. Conspiracy to Commit Money Laundering

Date of Detention Hearing: June 10 and 14, 2024.

1. The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which defendant can meet will reasonably

01 assure the appearance of defendant as required.

02 FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

03 2. Defendant is charged in what the government describes as a large-scale Ponzi
04 scheme involving hundreds of millions of dollars over several years. According to the
05 government, over \$160 million in proceeds are unaccounted for, and these funds provide both
06 the means and the incentive to flee. Given the scale of the alleged losses, Defendant is facing
07 a significant sentence, again giving Defendant a strong incentive to flee.

08 3. Although the least important factor, the Court considers that the weight of the
09 evidence is significant, involving government's possession and review of large amounts of
10 financial records and company records detailing the absence of any material mining capacity in
11 the face of large-scale sales of that capacity, corroborated by witness testimony. Defendant
12 has no ties to this District or to the United States, and his family resides in Estonia. He was
13 arrested in this matter and contested extradition, resulting in an 18-month delay in appearing in
14 this District. If he were to flee, there is no guarantee he would flee to a country where he would
15 be extraditable, and if he were to flee to Estonia, there is no guarantee that the Estonian
16 authorities would be willing to proceed with extradition again. The financial assets Defendant
17 proposed to secure a bond are all in Estonia and it is not clear if or how they could be forfeited
18 if Defendant fled.

19 3. There does not appear to be any condition or combination of conditions that will
20 reasonably assure the defendant's appearance at future Court hearings.

21 It is therefore ORDERED:

22 1. Defendant shall be detained pending trial, and committed to the custody of the Attorney

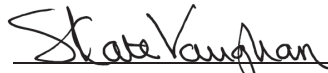
01 General for confinement in a correction facility, to the extent practicable, from persons
02 awaiting or serving sentences or being held in custody pending appeal;

03 2. Defendant shall be afforded reasonable opportunity for private consultation with counsel;

04 3. On order of the United States or on request of an attorney for the Government, the person
05 in charge of the corrections facility in which defendant is confined shall deliver the
06 defendant to a United States Marshal for the purpose of an appearance in connection with a
07 court proceeding; and

08 4. The Clerk shall direct copies of this Order to counsel for the United States, to counsel for
09 the defendant, to the United States Marshal, and to the United State Probation Services Officer.

10 DATED this 14th Day of June, 2024.

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12 S. KATE VAUGHAN

13 United States Magistrate Judge
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